

## EXHIBIT 1

**1. Shakey's Pizza Asia Ventures, Inc. v. PCJV USA, LLC**

United States District Court, C.D. California. December 04, 2024 Slip Copy 2024 WL 5472605

On November 14, 2024, the Court granted in part and denied in part Defendants' motion to dismiss the complaint and preliminarily enjoined Defendants Guy Koren, PCJV USA, LLC, and PCI Trading, LLC (and those in active concert or participation with them, including franchisees) from using Plaintiff's registered marks. Dkt. No 56. On November 20, the...

...for Defendants Gk Cerritos, LLC, Hlk Milpitas, LLC. Arash Beral **Todd Matthew Malynn** Victor J. Sandoval , Blank Rome LLP, Los Angeles, CA, for Defendant J&K Consultants Group, LLC. Arash Beral **Todd Matthew Malynn** Victor J. Sandoval Jamison Gilmore , Blank Rome LLP, Los Angeles...

...K PC Trucks, LLC, Gk Capital Group, LLC. Arash Beral **Todd Matthew Malynn** Victor J. Sandoval , Blank Rome LLP, Los Angeles, CA, for...

**2. Pacesetter, Inc. v. SurModics, Inc.**

United States Court of Appeals, Ninth Circuit. May 23, 2013 520 Fed.Appx. 579 2013 WL 2250114

In this diversity action arising under Minnesota law, SurModics, Inc. appeals the district court's summary judgment order denying its claims for additional royalties under its licensing agreement with Pacesetter, Inc. We have jurisdiction under 28 U.S.C. § 1291 and review de novo a district court's summary judgment. Universal Health Servs., Inc. v....

...2013. James Anthony Gale , Esquire, Feldman Gale, PA, Miami, FL, **Todd Malynn** , Feldman Gale, PA, Los Angeles, CA, for Plaintiff-counter-defendant...

**3. Shenzhen Smoore Technology Co., Ltd. v. A & A Global Imports, Inc.**

United States District Court, C.D. California. June 11, 2025 Slip Copy 2025 WL 1663981

Before the Court is Plaintiff Shenzhen Smoore Technology Co., Ltd. ("Smoore") and Defendant A & A Global, Inc.'s ("A & A") Joint Stipulation to Dismiss. After due consideration, IT IS HEREBY ORDERED that all claims asserted in this case be DISMISSED without prejudice, with all attorneys' fees, costs of court and...

...W. Chandler , Baker Botts LLP, Los Angeles, CA, for Plaintiff. **Todd Matthew Malynn** Arash Beral , Blank Rome LLP, Los Angeles, CA, Kristin Suzanne...

**4. Life Alert Emergency Response, Inc. v. Connect America.com LLC**

United States District Court, C.D. California. August 27, 2014 Not Reported in F.Supp.2d 2014 WL 4258339

On August 14, 2014, the Honorable Patricia L. Collins (ret.), pursuant to her designation as the Special Master in the above-captioned matter, (see Dkt. No. 209), issued Special Master Report # 1 (the "Report") regarding a dispute between Plaintiff Life Alert Emergency Response, Inc. ("Life Alert") and Defendant LifeWatch, Inc. ("LifeWatch") about...

...NY, William H. Armstrong , Armstrong and Associates LLP, Torrance, CA, **Todd Matthew Malynn** Gregory B. Wood Feldman Gale PA, Eve H. Wagner , Sauer...

**5. Shakey's Pizza Asia Ventures, Inc. v. PCJV USA, LLC**

United States District Court, C.D. California. April 15, 2025 Slip Copy 2025 WL 1421287

This order addresses the outstanding order to show cause (OSC) re civil contempt sanctions, as well as the OSC why the parties should not be sanctioned for their violations of the Court's orders in connection with their interactions and filings related to civil contempt. The parties are well acquainted with the facts and history of this hotly...

...Jessup LLP, Beverly Hills, CA, for Plaintiff. Victor J. Sandoval **Todd** Matthew **Malynn** Jamison Gilmore Arash Beral , Blank Rome LLP, Los Angeles, CA...

...Koren, PCI Trading, LLC, PCJV USA, LLC. Victor J. Sandoval **Todd** Matthew **Malynn** Arash Beral , Blank Rome LLP, Los Angeles, CA, for Defendant...

**6. Alfred E. Mann Foundation v. Cochlear Corp.**

United States District Court, C.D. California. May 29, 2009 Not Reported in Fed. Supp. 2009 WL 10655213

This matter is before the Court on Defendants Cochlear Corporation, n/k/a Cochlear Americas, and Cochlear Ltd.'s (collectively "Defendants") Motion to Dismiss for Lack of Standing and Defendants' Motion for Rule 11 Sanctions. We have considered the papers filed in support of and opposition to these Motions, as well as counsel's oral...

...Signed 05/29/2009 Daniel Grunfeld , Morgan Lewis & Bockius LLP, **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Daniel Johnson, Jr. , Dan Johnson...

...M. Burson Scott R. Miller , Sheppard Mullin Richter & Hampton LLC, **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Manuel C. Nelson , Santa Monica...

**7. ThermoLife International LLC v. Better Body Sports LLC**

United States District Court, C.D. California. December 03, 2013 Not Reported in Fed. Supp. 2013 WL 12136576

Plaintiff Thermolife International, LLC ("Thermolife" or "Plaintiff"), brought this action for patent infringement based on United States Patent No. 8,202,908 ("the '908 Patent"), titled "D-Aspartic Acid Supplement," against multiple defendants who market supplements allegedly containing that...

...Feldman Gale PA, Tampa, FL, Daniel Scott Silverman , Venable LLP, **Todd** Matthew **Malynn** Feldman Gale PA, William E. Thomson, Jr. , Brooks Kushman PC...

**8. Life Alert Emergency Response, Inc. v. Connect America.com, LLC**

United States District Court, C.D. California, Western Division. May 13, 2014 Not Reported in Fed. Supp. 2014 WL 11870217

For the reasons stated in the separate Order Re Plaintiff's Motion for a Preliminary Injunction (Dkt. 200) the Motion for a Preliminary Injunction is granted on the following terms, which are effective upon the entry of this Order, unless or until modified by the Court upon motion or upon the completion of the trial proceedings in this matter: 1....

...NY, William H. Armstrong , Armstrong and Associates LLP, Torrance, CA, **Todd** Matthew **Malynn** Gregory Byron Wood Feldman Gale PA, Los Angeles, CA, for...

**9. Alfred E. Mann Foundation for Scientific Research v. Cochlear Corporation**

United States District Court, C.D. California. March 31, 2015 Not Reported in Fed. Supp. 2015 Markman 12644568

Having reviewed and considered all the briefing filed with respect to the parties' post-trial motions, the court concludes that oral argument is not necessary to resolve the motions and orders as follows. See Fed. R. Civ. P. 78; Local Rule 7-15; Willis v. Pac. Mar. Ass'n, 244 F.3d 675, 684 n. 2 (9th Cir. 2001). Plaintiff Alfred E. Mann Foundation...

...Morgan Lewis & Bockius LLP, Gregory Byron Wood , Feldman Gale, P.A., **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Daniel Johnson, Jr. Jason Evan...

...M. Burson Scott R. Miller , Sheppard Mullin Richter & Hampton LLC, **Todd** Matthew **Malynn** , Polsinelli LLP, Gregory Byron Wood , Feldman Gale P.A., Los Angeles...

**10. TWD, LLC v. Anley Inc.**

United States District Court, C.D. California. January 29, 2024 Not Reported in Fed. Supp. 2024 WL 2107375

On July 10, 2023, TWD, LLC ("Plaintiff"), filed a Complaint against Anley Inc. ("Anley") and Lin Jiang ("Jiang") (collectively, "Defendants"), alleging copyright infringement in violation of 17 U.S.C. §§ 501 and 1202. (ECF No. 1.) Presently before the Court is Plaintiff's Motion for Leave to...

...Quinn, Del Mar, CA, for TWD, LLC. Cheryl S. Chang **Todd** Matthew **Malynn** , Blank Rome LLP, Los Angeles, CA, for Anley Inc. et...

**11. Hand & Nail Harmony, Inc. v. ABC Nail and Spa Products**

United States District Court, C.D. California. May 02, 2017 Not Reported in Fed. Supp. 2017 WL 11633147

After the Court granted Plaintiffs Hand & Nail Harmony, Inc. and Nail Alliance, LLC's (collectively, "Plaintiffs" or "Hand & Nail") Motions for Default Judgment ("Motions") (Dkts. 184, 186, 187, and 193), Plaintiffs filed a declaration establishing reasonable attorney's fees incurred in connection with their...

...02/2017 Jose Mariano Castillo , Jose M. Castillo Law Offices, **Todd** Matthew **Malynn** Adam Peter Daniels , Polsinelli LLP, Los Angeles, CA, for Hand...

**12. Hand & Nail Harmony, Inc. v. ABC Nail and Spa Products**

United States District Court, C.D. California. August 08, 2016 Not Reported in Fed. Supp. 2016 WL 9223783

Before the Court is Defendant JC Supply, LLC's ("JC Supply" or "Defendant") Motion to Dismiss for Lack of Personal Jurisdiction and for Failure to State a Claim Upon Which Relief Can Be Granted ("Motion") (Dkt. 75). The Court finds this matter appropriate for resolution without oral argument. Fed. R. Civ. P. 78;...

...Mariano Castillo , Jose M. Castillo Law Offices, Los Angeles, CA, **Todd** Matthew **Malynn** Adam Peter Daniels , Polsinelli LLP, Los Angeles, CA, for Hand...

**13. Shakeys Pizza Asia Ventures, Inc. v. PCJV USA, LLC**

United States Court of Appeals, Ninth Circuit. May 19, 2025 Not Reported in Fed. Rptr. 2025 WL 1431270

PCJV USA, LLC, PCI Trading, LLC, and Guy Koren (together, "PCJV") appeal from the district court's orders preliminarily enjoining them from using three trademarks associated with the Potato Corner brand, setting a \$100,000 bond, and denying their requests for reconsideration. As the parties are familiar with the facts, we do not recount...

...Ervin Cohen & Jessup, LLP, Beverly Hills, CA, for Plaintiff-Appellee. **Todd Malynn** Arash Beral Victor James Sandoval , Blank Rome, LLP, Los Angeles...

#### 14. Purcel v. Advanced Bionics Corporation

United States District Court, N.D. Texas, Dallas Division. June 11, 2010 Not Reported in Fed. Supp. 2010 WL 11534506

Before the Court are Plaintiffs' "Motion for Sanctions Against Defendant Advanced Bionics" ("Motion," doc. 140) and Plaintiffs' "Supplemental Motion for Sanctions Against Defendant Advanced Bionics" ("Supplemental Motion," doc. 154) (collectively, "Motions"). The Court held a hearing on...

...Denver, CO, James A. Gale Feldman Gale PA, Miami, FL, **Todd Malynn** Feldman Gale PA, Los Angeles, CA, for Defendants. ORDER PAUL...

#### 15. Shakey's Pizza Asia Ventures, Inc. v. PCJV USA, LLC

United States District Court, C.D. California. February 28, 2025 Slip Copy 2025 WL 864654

As part of their motion to dismiss Plaintiff's First Amended Complaint, Defendants moved under California's Strategic Lawsuit Against Public Participation (anti-SLAPP) statute to strike two claims. Dkt. No. 99. In advance of the January 31 hearing on that motion, the Court issued a tentative ruling that Defendants' anti-SLAPP motion was frivolous...

...and Jessup LLP, Beverly Hills, CA, for Plaintiff. Arash Beral **Todd** Matthew **Malynn** Victor J. Sandoval , Blank Rome LLP, Los Angeles, CA, for...

#### 16. Life Alert Emergency Response, Inc. v. Connect America.com, LLC

United States District Court, C.D. California. October 16, 2013 Not Reported in Fed. Supp. 2013 WL 12474259

On September 23, 2013, Milord & Associates, counsel to Live Agent Response 1, LLC, Trilogy Investment, LLC, and Greg Small, who are among the defendants in this action, filed this Motion to Withdraw as Attorneys of Record (the "Motion" (Dkt. 41)) for those defendants (hereinafter referred to as "Clients.") Dkt. 41. Milord &...

...Armstrong , Armstrong and Associates LLP, Torrance, CA, for Evan Sirlin. **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Gregory Byron Wood Gregory B...



#### 17. Viserta v. St. Jude Medical, Inc.

United States District Court, D. South Carolina, Anderson Division. February 29, 2012 Not Reported in F.Supp.2d 2012 WL 667814

This matter is before the court on Defendant St. Jude Medical, Inc.'s ("St.Jude") Motion to Dismiss [Doc. 14] Plaintiff's Amended Complaint. Based upon the record before the court and after having considered the arguments of counsel, Defendant's Motion to Dismiss is granted. Plaintiff Delores Viserta ("Viserta") brings this...

...Gregg H. Metzger James A. Gale Feldman Gale , Miami, FL, **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, for Defendant. ORDER AND...



### 18. Alfred E. Mann Foundation for Scientific Research v. Cochlear Corporation

United States District Court, C.D. California. January 03, 2014 Not Reported in Fed. Supp. 2014 WL 12586105

Having reviewed and considered all the briefing filed with respect to the parties' motions in limine, and having considered oral arguments of the parties at the pretrial conference on December 19, 2013, the court orders as follows. On December 13, 2007, plaintiff Alfred E. Mann Foundation for Scientific Research ("AMF" or...

...Signed 01/03/2014 Daniel Grunfeld , Morgan Lewis & Bockius LLP, **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Daniel Johnson, Jr. , Dan Johnson...

...M. Burson Scott R. Miller , Sheppard Mullin Richter & Hampton LLC, **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Manuel C. Nelson , Santa Monica...

### 19. Panasonic Corporation v. Encore Media Services, Inc.

United States District Court, C.D. California, Western Division. June 22, 2016 Not Reported in Fed. Supp. 2016 WL 3456899

This Court having taken evidence and heard from Plaintiffs Panasonic Corp., SANYO Electric Co., Ltd., Warner Bros. Home Entertainment Inc. and Mitsubishi Electric Corp. (collectively "Plaintiffs") on June 17, 2016, makes the following FINDINGS: 1. This is a patent case. Plaintiffs sued Defendant Encore Media Services, Inc....

...Andrew Rowland , O'Melveny & Myers LLP, Los Angeles, CA, for Plaintiffs. **Todd** Matthew **Malynn** , Polsinelli LLP, Gregory Byron Wood Feldman Gale PA, Los Angeles...



### 20. Alfred E. Mann Foundation for Scientific Research v. Cochlear Corporation

United States District Court, C.D. California. January 03, 2014 Not Reported in Fed. Supp. 2014 WL 12558006

Having reviewed and considered all the briefing filed with respect to the parties' cross-motions for summary judgment, and the oral argument presented to the court on August 29, 2013, the court orders as follows. On December 13, 2007, plaintiff Alfred E. Mann Foundation for Scientific Research ("AMF" or "plaintiff")...

...Morgan Lewis & Bockius LLP, Gregory Byron Wood , Feldman Gale, P.A., **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Daniel Johnson, Jr. Jason Evan...

...M. Burson Scott R. Miller , Sheppard Mullin Richter & Hampton LLC, **Todd** Matthew **Malynn** , Polsinelli LLP, Gregory Byron Wood , Feldman Gale P.A., Los Angeles...

**21. Purcel v. Advanced Bionics Holding Corp.**

United States District Court, N.D. Texas, Dallas Division. October 27, 2008 Not Reported in F.Supp.2d Prod.Liab.Rep. (CCH) P 18,117

Before the Court is Defendant Astro Seal, Inc.'s Motion to Dismiss [Docket Entry # 41]. For the reasons stated below, the Court DENIES the Motion. This case stems from injuries caused by an allegedly defective hearing aid. Plaintiff B.P., a minor who was born profoundly deaf in both ears, received surgically implanted hearing aids in July 2005....

...Denver, CO, James A. Gale Feldman Gale PA, Miami, FL, **Todd Malynn** Feldman Gale PA, Los Angeles, CA, for Defendants. MEMORANDUM OPINION...

**22. Star Envirotech, Inc. v. Redline Detection, LLC**

United States District Court, C.D. California. April 03, 2013 Not Reported in F.Supp.2d 2013 WL 1716068

Maynor Galvez, Deputy Clerk. Before the Court are (1) Defendants' Motion to Stay Litigation Pending Outcome of Inter Partes Review by the U.S. Patent and Trademark Office (Doc. No. 20); and (2) Defendants' Motion to Dismiss Patent Infringement Claim (Doc. No. 9). The Court finds Defendants' Motions appropriate for resolution without a hearing. See...

...12-01861 JGB (MLGx). April 3, 2013. James A. Gale **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, Richard Guerra, Feldman...

**23. Tropos Networks, Inc. v. IPCO LLC**

United States District Court, N.D. California. May 11, 2006 Not Reported in F.Supp.2d 2006 WL 1305233

This matter comes before the Court upon consideration of the motion for expedited discovery filed by Plaintiff Tropos Networks, Inc. ("Tropos"). That matter is fully ripe for decision, and the Court finds the matter suitable for disposition without oral argument. N.D. Civ. L.R. 7-1(b). Accordingly, the Court HEREBY VACATES the May 26, 2006 hearing...

...CA, Gregory L. Hillyer James A. Gale Sheila Y. Harrison **Todd M. Malynn** Feldman Gale PA, Miami, FL, for Plaintiff. Lina M. Brenner...

**24. A&A Global Imports, Inc. v. CBJ Distributing LLC**

United States District Court, D. Nevada. October 21, 2022 Not Reported in Fed. Supp. 2022 WL 13808573

Before the Court are five motions to seal. (ECF Nos. 28, 38, 44, 51, 53). Defendants ask to redact portions of their motion for summary judgment and an exhibit thereto (ECF No. 28). Plaintiff asks to redact portions of its response to that motion and its motion for preliminary injunction. (ECF No. 38). Defendants move to redact portions of their...

...21, 2022 Arash Beral Pro Hac Vice , Blank Rome LLP, **Todd M. Malynn** Pro Hac Vice , Polsinelli LLP, Meng Zhong Michael J. McCue...

**25. Info Up, LLC v. Success for Life, Inc.**

United States District Court, C.D. California. March 08, 2021 Not Reported in Fed. Supp. 2021 WL 1773531



Before the Court is Plaintiffs Info Up, LLC and Info Up Publishing, Inc.'s ("Info Up") Motion for Default Judgment (the "Motion"), filed on January 25, 2021. (Docket No. 54). On February 17, 2021, former Defendant Monica Main, voluntarily dismissed from the action on November 24, 2021, filed an affidavit in opposition...

...No. CV 20-8642-MWF (MRWx) Filed 03/08/2021 **Todd** Matthew **Malynn** Stephen M. Nichols , Polsinelli LLP, Los Angeles, CA, for Info...

## 26. Mullan v. North Cascade Cardiology, PLLC

Court of Appeals of Washington, Division 1. May 28, 2013 Not Reported in P.3d 175 Wash.App. 1004

The Estate of Dana Mullan appeals the trial court's dismissal of its claims against Ms. Mullan's health care providers and the company that manufactured her pacemaker. Finding no questions of fact exist regarding proximate cause, we affirm the trial court. Dana Mullan was diagnosed with a congenital heart condition in November 1989. In May 1994,...

...Susannah Christiana Carr , Gordon Tilden Thomas & Cordell LLP, Seattle, WA, **Todd** M. **Malynn** , Feldman Gale, PA, Los Angeles, CA, for Respondent. UNPUBLISHED OPINION...

## 27. Shakey's Pizza Asia Ventures, Inc. v. PCJV USA, LLC

United States District Court, C.D. California. January 31, 2025 Slip Copy 2025 WL 660069

More than two months ago, the Court enjoined Defendants Guy Koren, PCJV USA, LLC, and PCI Trading, LLC "from directly or indirectly using, advertising, marketing, promoting, or distributing" three registered marks belonging to Plaintiff Shakey's Pizza Asia Ventures, Inc. (SPAVI) during the pendency of this action. Dkt. No. 56 at...

...and Jessup LLP, Beverly Hills, CA, for Plaintiff. Arash Beral **Todd** Matthew **Malynn** Victor J. Sandoval , Blank Rome LLP, Los Angeles, CA, for...



## 28. Purcel v. Advanced Bionics Corp.

United States District Court, N.D. Texas, Dallas Division. August 13, 2008 Not Reported in F.Supp.2d Prod.Liab.Rep. (CCH) P 18,085

Before the Court is Defendant Advanced Bionics Corporation's Motion for Judgment on the Pleadings. For the reasons set forth below, the Motion is DENIED. B.P., a minor, is deaf. To allow B.P. to hear, in July of 2005, surgeons implanted into B.P.'s ears a cochlear ear device, the HiRes90k, manufactured by Defendant Advanced Bionics Corporation...

...Denver, CO, James A. Gale Feldman Gale PA, Miami, FL, **Todd** **Malynn** Feldman Gale PA, Los Angeles, CA, for Defendants. MEMORANDUM OPINION...

## 29. Nail Alliance, LLC v. Vishine Enterprise Limited

United States District Court, C.D. California. June 15, 2022 Not Reported in Fed. Supp. 2022 WL 3013154



Before the Court is Plaintiffs Nail Alliance, LLC and Nail Alliance – North America, Inc.'s (collectively, "Plaintiffs" or "Nail Alliance") Ex Parte Application for (A) Interim Injunctive Relief Against Defendant Vishine Enterprise Limited ("Defendant" or "Vishine") and (B) an Order to Show...

...SA CV 22-00937-DOC-DFM Filed June 15, 2022 **Todd** Matthew **Malynn** , Blank Rome LLP, Los Angeles, CA, Jonathan W. England Pro...



### 30. Alfred E. Mann Foundation for Scientific Research v. Cochlear Corp.

United States District Court, C.D. California. June 18, 2012 Not Reported in Fed. Supp. 2012 Markman 12877984

Plaintiff Alfred E. Mann Foundation for Scientific Research ("AMF") brings this action asserting two patents, U.S. Patent No. 5,609,616, entitled "Physician's Testing System and Method for Testing Implantable Cochlear Stimulator" ("616 Patent") and U.S. Patent No. 5,938,691, entitled "Multichannel..."

...Morgan Lewis & Bockius LLP, Gregory Byron Wood , Feldman Gale, P.A., **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Daniel Johnson, Jr. Jason Evan...

...M. Burson Scott R. Miller , Sheppard Mullin Richter & Hampton LLP, **Todd** Matthew **Malynn** , Polsinelli LLP, Gregory Byron Wood Feldman Gale P.A , Los Angeles...

### 31. Shakey's Pizza Asia Ventures, Inc. v. PCJV USA, LLC

United States District Court, C.D. California. November 22, 2024 Slip Copy 2024 WL 5050160

Plaintiff moved to preliminarily enjoin Defendants from using Plaintiff's registered trademarks on October 10, 2024. Dkt. No. 44. Defendants opposed the motion on October 18. Dkt. No. 48. The Court issued a tentative opinion granting the motion on November 7 and heard argument the next day. Dkt. Nos. 54, 55. On November 14, the Court preliminarily...

...and Jessup LLP, Beverly Hills, CA, for Plaintiff. Arash Beral **Todd** Matthew **Malynn** Victor J. Sandoval , Blank Rome LLP, Los Angeles, CA, for...

### 32. Nail Alliance, LLC v. Poly-Gel L.L.C.

United States District Court, W.D. Missouri, Western Division. November 15, 2018 Not Reported in Fed. Supp. 2018 WL 9868574

Currently pending before the Court is Plaintiff Nail Alliance, LLC's ("Nail Alliance") Motion for Leave to File Second Amended Complaint ("Motion for Leave") (Doc. # 45), and Defendant Poly-Gel LLC's ("Poly-Gel") Motion for Hearing on Plaintiff's Motion for Leave to File Second Amended Complaint ("Motion..."

...Paul A. Borovay Pro Hac Vice , Polsinelli PC, Chicago, IL, **Todd** M. **Malynn** Pro Hac Vice , Polsinelli PC, Los Angeles, CA, Phillip James...

### 33. Info Up, LLC v. Success for Life, Inc.

United States District Court, C.D. California. November 20, 2020 Not Reported in Fed. Supp. 2020 WL 7414746

Before the Court is Plaintiffs Info Up, LLC and Info Up Publishing, Inc.'s ("Info Up") Motion for a Preliminary Injunction (the "Motion"), filed on October 14, 2020. (Docket No. 16). On November 4, 2020, Defendants Monica Main and Success for Life, Inc. ("SFL") filed an opposition. (Docket No. 27). On November 9,...

...No. CV 20-8642-MWF (MRWx) Filed 11/20/2020 **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, for Info Up, LLC. Proceedings...

### 34. Tropos Networks, Inc. v. IPCO, LLC

United States District Court, N.D. California. July 07, 2006 Not Reported in F.Supp.2d 2006 WL 1883316

This matter comes before the Court upon consideration of the motion to dismiss based on lack of personal jurisdiction or, in the alternative, transfer of action on grounds of inconvenient forum filed by Defendant IPCO, LLC ("IPCO"). Having considered the parties' pleadings, the record in this case, relevant legal authority, and having had the...

...CA, Gregory L. Hillyer James A. Gale Sheila Y. Harrison **Todd** M. **Malynn** Feldman Gale PA, Miami, FL, Heather N. Mewes Fenwick & West...

### 35. Colur World, LLC v. Schneider Media Industries

United States District Court, C.D. California. November 04, 2024 Slip Copy 2024 WL 5411371

Before the Court is Plaintiff Colin World's motion to stay proceedings in this case. ECF No. 37. For the following reasons, Plaintiff's motion is DENIED. On April 11, 2024, Plaintiff brought trademark infringement claims against Defendant Schneider Media Industries. ECF No. 1. Plaintiff owns a trademark that essentially consists of the color pink...

...cv-07113-SVW Filed November 4, 2024 Cheryl S. Chang **Todd** Matthew **Malynn** , Blank Rome LLP, Los Angeles, CA, Timothy J. Miller Pro...

### 36. Shenzhen Smoore Technology Co., Ltd. v. Greentank Technologies Corp.

United States District Court, C.D. California. October 10, 2024 Slip Copy 2024 WL 5694585

After this trio of cases was filed in 2022, the Court stayed the cases pending concurrent ITC proceedings. On March 18, 2024, the Court vacated the stay. See Dkt. 26. Following a series of continuances, the parties filed their Joint Rule 26(f) report on September 13, 2024. Dkt. 42. The Court held a scheduling conference in all three cases on...

...W. Chandler , Baker Botts LLP, Los Angeles, CA, for Plaintiff. **Todd** Matthew **Malynn** Arash Beral , Blank Rome LLP, Los Angeles, CA, Kristin Suzanne...

### 37. Pacesetter Inc. v. SurModics, Inc.

United States District Court, C.D. California. October 25, 2011 Not Reported in F.Supp.2d 2011 WL 5075611

On June 28, 2011, Plaintiff Pacesetter Inc. d/b/a St. Jude Medical CRMD ("St.Jude") filed the present Motion for Summary Judgment [8]. On July 29, 2011, Defendant SurModics, Inc. ("SurModics") filed

the present Cross–Motion for Partial Summary Judgment and Opposition to Plaintiff's Motion for Summary Judgment [26]. Both Motions were heard before...

...25, 2011. James A. Gale Feldman Gale PA, Miami, FL, **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, for Plaintiff. David Martinez...

### 38. Nail Alliance, LLC v. Poly-Gel L.L.C.

United States District Court, W.D. Missouri, Western Division. December 09, 2019 Not Reported in Fed. Supp. 2019 WL 7593364

Pending before the Court is Nail Alliance, LLC and Nail & Hand Harmony, Inc.'s Motion to Declare the Case Exceptional and for Attorney Fees and Expert Costs (Doc. No. 166). Nail Alliance filed this action on December 11, 2017. Nail Alliance filed its second amended complaint (which is the operative complaint) on November 16, 2018. This action...

...Paul A. Borovay Pro Hac Vice , Polsinelli PC, Chicago, IL, **Todd** M. **Malynn** Pro Hac Vice , Polsinelli PC, Los Angeles, CA, Phillip James...

### 39. Shakey's Pizza Asia Ventures, Inc. v. PCJV USA, LLC

United States District Court, C.D. California. September 25, 2024 Slip Copy 2024 WL 4867571

This case involves a trademark dispute over Potato Corner, a fast food chain selling flavored french fries that originated in the Philippines and now has over 1,000 locations worldwide. Defendant Guy Koren partnered with the Filipino owners of the brands in a joint venture to open Potato Corner outlets in the United States—both directly and...

...and Jessup LLP, Beverly Hills, CA, for Plaintiff. Arash Beral **Todd** Matthew **Malynn** Victor J. Sandoval , Blank Rome LLP, Los Angeles, CA, for...

### 40. Hand & Nail Harmony, Inc. v. Dadon

United States District Court, C.D. California. January 09, 2013 Not Reported in Fed. Supp. 2013 WL 12129364

THIS CAUSE came before the Court on the Parties' Stipulation for Entry of Consent Judgment (D.E. 7). The Court, having been advised that the Parties have settled their dispute, and that their settlement agreement provides for, inter alia, the entry of a Consent Final Judgment and Order of Permanent Injunction, and for good cause shown, hereby makes...

...CASE NO.: SACV12 1348 AG (MLGx) Signed 01/09/2013 **TODD** M. **MALYNN** (SBN 181595), Email: tmalynn@feldmangale.com, GREG B. WOOD (SBN 068064...

### 41. Hand & Nail Harmony, Inc. v. ABC Nail and Spa Products

United States District Court, C.D. California. May 31, 2016 Not Reported in Fed. Supp. 2016 WL 9110163

Before the Court is Plaintiffs Hand & Nail Harmony, Inc. ("Harmony") and Nail Alliance, LLC's ("Nail Alliance") (collectively, "Plaintiffs") Ex Parte Application for: (a) Entry of Temporary Restraining Order and Seizure Order; (b) Order to Show Cause Re: Preliminary Injunction; (c) A Substitute Custodian Order;...

...31/2016 Jose Mariano Castillo , Jose M. Castillo Law Offices, **Todd** Matthew **Malynn** Adam Peter Daniels , Polsinelli LLP, Los Angeles, CA, for Hand...

#### 42. **Shakey's Pizza Asia Ventures, Inc. v. PCJV USA, LLC**

United States District Court, C.D. California. January 31, 2025 Slip Copy 2025 WL 657182

Plaintiff Shakey's Pizza Asia Ventures, Inc. (SPAVI) filed this action alleging that Defendants are infringing its registered trademarks related to the Potato Corner brand of flavored french fries. On earlier motions, the Court found that the complaint stated plausible claims against Defendants Guy Koren, PCJV USA, LLC (PCJV), and PCI Trading, LLC,...

...and Jessup LLP, Beverly Hills, CA, for Plaintiff. Arash Beral **Todd** Matthew **Malynn** Victor J. Sandoval , Blank Rome LLP, Los Angeles, CA, for...

#### 43. **Pacesetter, Inc. v. Aortech International PLC**

United States District Court, C.D. California. November 01, 2012 Not Reported in Fed. Supp. 2012 WL 12894007

On October 16, 2012, Plaintiff, Pacesetter, Inc., d/b/a St. Jude Medical Cardiac Rhythm Management Division, filed a Complaint against Defendants, Aortech International PLC, Aortech Biomaterial Pty Limited, and Aortech Medical Devices (USA), Inc., seeking a declaratory judgment that Plaintiff has not breached the parties' Amended and Restated 2011...

...L. Hund Edward F. Fox , Bassford Remele PA, Minneapolis, MN, **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, for Pacesetter, Inc. Andrew...



#### 44. **Franzese v. St. Jude Medical, Inc.**

United States District Court, E.D. New York. June 23, 2014 Not Reported in F.Supp.3d Prod.Liab.Rep. (CCH) P 19,412

Currently pending before the Court are: (1) defendants St. Jude Medical, Inc. and St. Jude Medical S.C., Inc. (together, "Defendants" or "St. Jude") motion to dismiss the Amended Complaint (Docket Entry 16), and (2) Defendants' motion to compel judicial notice (Docket Entry 17). For the following reasons, Defendants' motions are GRANTED. On April...

...T. McHugh, Esq. , Lawrence, Worden, Rainis & Bard, P.C., Melville, NY, **Todd** M. **Malynn**, Esq. Feldman Gale PA, Los Angeles, CA, for Defendants. MEMORANDUM...

#### 45. **Knight v. St. Jude Medical**

United States District Court, W.D. Michigan, Southern Division. March 31, 2011 Not Reported in F.Supp.2d 2011 WL 1230815

Plaintiffs filed this action against Defendant St. Jude Medical, seeking recovery for damages suffered by Plaintiff Kirby Knight when his internal cardiac defibrillator (ICD) failed to fire. The ICD in question was manufactured, distributed and serviced by Defendant. Plaintiffs' Amended Complaint sets forth several claims including claims of...

...FL, Robert D. Vanderlaan , Vanderlaan & Associates, PC, Grand Rapids, MI, **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, for Defendant. OPINION AND...

**46. Life Alert Emergency Response Inc. v. Connect America.com LLC**

United States District Court, C.D. California. December 06, 2013 Not Reported in Fed. Supp. 2013 WL 12138587

On May 14 2013, Plaintiff Life Alert Emergency Response, Inc. ("Plaintiff" or "Life Alert") filed this action in which it names the following defendants: Connect America.com, LLC ("Connect America"), Kenneth Gross ("Gross"), Lifewatch, Inc. ("Lifewatch"), Evan Sirlin...

...NY, William H. Armstrong , Armstrong and Associates LLP, Torrance, CA, **Todd Matthew Malynn** Gregory Byron Wood Feldman Gale PA, Los Angeles, CA, for...

**47. Baird v. Medtronic, Inc.**

United States District Court, D. Nebraska. June 30, 2005 Not Reported in Fed. Supp. 2005 WL 8175917

This matter is before the Court on the Plaintiff's Motion for Preliminary Injunction (Filing No. 4). Plaintiff Brian Baird and Defendant, Medtronic, Inc., both submitted briefs and indexes of evidence in support of their respective positions, and the Court heard oral argument on June 24, 2005. For the reasons stated below, the Motion for...

...Dunning William T. Oakes , Stinson, Morrison Law Firm, Omaha, NE, **Todd M. Malynn** , Feldman Gale P.A., Los Angeles, CA, for Plaintiff. Karen D...

**48. Hand & Nail Harmony, Inc. v. Lenguyen**

United States District Court, C.D. California. November 19, 2013 Not Reported in F.Supp.2d 2013 WL 7389424

Terry Guerrero, Deputy Clerk. Before the Court is a Motion to Dismiss Complaint ("Motion") filed by Defendant TNT USA Inc. ("Defendant" or "TNT USA"). (Doc. 23.) Plaintiffs filed an Opposition, (Doc. 28), and Defendant replied (Doc. 29). The Court finds this matter appropriate for decision without oral argument. Fed.R.Civ.P. 78(b); C.D. Cal. R....

...al. No. SACV 13–1021 JLS (RNBx). Nov. 19, 2013. **Todd Matthew Malynn** , Feldman Gale PA, Los Angeles, CA, Al ejandro J. Fernandez...

**49. Smith v. St. Jude Medical, Inc.**

Court of Appeal, First District, Division 5, California. May 21, 2013 217 Cal.App.4th 313 158 Cal.Rptr.3d 302

HEALTH — Malpractice. Punctures in patient's heart during pacemaker implantation were not caused by machine operator.

**Synopsis**

**Background:** Patient's relatives brought action against pacemaker lead supplier, pacing system analyzer (PSA) operator, and others involved in cardiac pacemaker implantation surgery for wrongful death. The Superior Court, Alameda County, No. RG09470457, **Robert Freedman**, J., granted summary judgment for supplier and operator. Patient's relatives appealed.

**Holdings:** The Court of Appeal, **Jones**, P.J., held that:

[1] relatives had ample time to conduct discovery;

[2] perforations in patient's atrium and aorta during surgery were not result of any error or breach of duty by PSA operator; and

[3] PSA operator did not undertake duty to monitor patient after surgery.

Affirmed.

...Sorenson, LLP, Eric A. Gale , Mountain View, and Feldman Gale **Todd M. Malynn** , Los Angeles, for Defendants and Respondents Jones , P.J. Plaintiffs are...

### 50. Hand & Nail Harmony, Inc. v. ABC Nails & Spa Products

United States District Court, C.D. California. December 09, 2016 Not Reported in Fed. Supp. 2016 WL 9110162

Before the Court are Counterdefendants' Special Motion to Strike Counterclaim ("anti-SLAPP Motion") and Motion to Dismiss Counterclaim ("MTD") (Dkt. 111). The Court finds these matters appropriate for resolution without oral argument. Fed. R. Civ. P. 78; L.R. 7–15. After reviewing the moving papers and...

...09/2016 Jose Mariano Castillo , Jose M. Castillo Law Offices, **Todd Matthew Malynn** Adam Peter Daniels , Polsinelli LLP, Los Angeles, CA, for Hand...

### 51. Oomph Innovations LLC v. Shenzhen Bolesic Electronics Co. Ltd.

United States District Court, N.D. California, San Jose Division. September 30, 2020 Not Reported in Fed. Supp. 2020 WL 5847505

Before the Court is Plaintiff Oomph Innovations LLC's ("Plaintiff") Motion for Default Judgment. Dkt. No. 37 ("Mot."). Defendants Shenzhen Bolesic Electronics Co., LTD. ("SBE"), Guangzhou WellTop Electronic Co., Ltd. ("WellTop"), and UKLISS Electric Appliance Co., Ltd. ("UKLISS" and...

...Loyde Hillyer Pro Hac Vice , Hillyer Legal, PLLC, Washington, DC, **Todd Matthew Malynn** , Feldman Gale, P.A., Los Angeles, CA, for Plaintiff. ORDER GRANTING...



### 52. Alfred E. Mann Foundation for Scientific Research v. Cochlear Corporation

United States District Court, C.D. California, Western Division. November 08, 2011 Not Reported in Fed. Supp. 2011 WL 13103996

I. Introduction. — A. Background. — B. Referral to the Special Master. — C. The Parties' Submissions. — D. Agreed Claim Constructions. — II. Claim Construction...

...Morgan Lewis & Bockius LLP, Gregory Byron Wood , Feldman Gale, P.A., **Todd Matthew Malynn** , Polsinelli LLP, Los Angeles, CA, Daniel Johnson, Jr. Jason Evan...

...M. Burson Scott R. Miller , Sheppard Mullin Richter & Hampton LLC, **Todd Matthew Malynn** , Polsinelli LLP, Gregory Byron Wood , Feldman Gale P.A., Los Angeles...

### 53. Nail Alliance, LLC v. Poly-Gel L.L.C.

United States District Court, W.D. Missouri, Western Division. June 27, 2019 Not Reported in Fed. Supp. 2019 WL 5295501

Pending before the Court are (1) defendant/counterclaim-plaintiff Poly-Gel L.L.C.'s ("Poly-Gel") Motion to Exclude the Report and Testimony of Nail Alliance, LLC ("Nail Alliance") and Hand and Nail Harmony, Inc.'s ("Harmony") (collectively, "Nail Harmony") Expert Hal Poret and Suggestions in Support...



...Paul A. Borovay Pro Hac Vice , Polsinelli PC, Chicago, IL, **Todd M. Malynn** Pro Hac Vice , Polsinelli PC, Los Angeles, CA, Phillip James...

#### 54. Life Alert Emergency Response, Inc. v. ConnectAmerica.com, LLC

United States District Court, C.D. California. June 03, 2015 Not Reported in Fed. Supp. 2015 WL 12765466

Life Alert Emergency Response, Inc. ("Plaintiff" or "Life Alert") filed this action in which it named the following defendants: Connect America.com, LLC ("Connect America"), Kenneth Gross ("Gross"), Lifewatch, Inc. ("Lifewatch"), Evan Sirlin ("Sirlin"), Live Agent Response 1,...

...NY, William H. Armstrong , Armstrong and Associates LLP, Torrance, CA, **Todd Matthew Malynn** Gregory Byron Wood Feldman Gale PA, Los Angeles, CA, for...

#### 55. Kiland v. Boston Scientific Corp.

United States District Court, N.D. California, Oakland Division. April 01, 2011 Not Reported in F.Supp.2d 2011 WL 1261130

Plaintiff Blair Kiland ("Kiland") and his current employer, Plaintiff St. Jude Medical S.C., Inc. ("St.Jude"), (collectively referred to herein as "Plaintiffs") bring this diversity action against Kiland's former employers Defendants Boston Scientific Corporation ("BSC") and Guidant Sales Corporation ("Guidant" or "GSC") (collectively referred to...

...David James Miclean , The Miclean Law Group, Redwood Shores, CA, **Todd Matthew Malynn** , Feldman Gale, P.A., Los Angeles, CA, Gregg H. Metzger James...



#### 56. Dowell v. Biosense Webster, Inc.

Court of Appeal, Second District, Division 2, California. October 20, 2009 179 Cal.App.4th 564 102 Cal.Rptr.3d 1

LABOR AND EMPLOYMENT - Unfair Labor Practices. Noncompete and nonsolicitation clauses in employment agreements were facially void.

##### Synopsis

**Background:** Current employers and employees brought action against former employer for unfair competition, seeking declaratory relief. Former employer cross-complained for unfair competition. The Superior Court, Los Angeles County, No. BC337177, **Elizabeth Allen White**, J., granted declaratory judgment that former employer's noncompete and nonsolicitation clauses were void, but did not grant permanent injunction against attempting to enforce noncompete clauses against other California employees. All parties appealed.

**Holdings:** The Court of Appeal, **Doi Todd**, Acting P.J., held that:

[1] noncompete clause was facially void restriction on employees' practice of their chosen profession, and [2] nonsolicitation clause was facially void restriction on employees' practice of their chosen profession. Affirmed.

...Ann.Cal.Bus. & Prof.Code §16600 Feldman Gale James A. Gale and **Todd M. Malynn** , Los Angeles, for Plaintiffs, Cross-defendants, Respondents and Appellants. Steptoe...



#### 57. Star Envirotech, Inc. v. Redline Detection, LLC

United States District Court, C.D. California. January 29, 2015 Not Reported in Fed. Supp. 2015 WL 4744394



Before the Court are two Motions to Strike and a Motion to Dismiss filed by Plaintiff. (Doc. Nos.68, 76, 77.) The Court finds these matters suitable for resolution without a hearing pursuant to Local Rule 7–15. After considering all papers submitted in support of and in opposition to the motions, the Court DENIES the...

...Richard Guerra Feldman Gale PA, Miami, FL, Gregory Byron Wood **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, for Plaintiff. Gregory Kent...

### 58. Hand & Nail Harmony, Inc. v. Texas Nails & Beauty Supply

United States District Court, C.D. California, Southern Division. February 28, 2017 Not Reported in Fed. Supp. 2017 WL 11630519

Plaintiffs Hand & Nail Harmony, Inc. ("Harmony"), Nail Alliance, LLC, and Nail Alliance-Artistic, Inc., filed this lawsuit against Defendants Texas Nails & Beauty Supply ("Texas Nails"), Tony Lee, Door To Door Nail Supply, Nail Supply, Inc., Salon Supply Store, and Does 1 through 30 inclusive, for trademark infringement...

...02105-CJC(JCGx) Signed 02/28/2017 Adam Peter Daniels **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, for Plaintiffs. ORDER GRANTING IN...

### 59. Star Envirotech, Inc. v. Redline Detection, LLC

United States District Court, C.D. California, Southern Division. December 16, 2015 Not Reported in Fed. Supp. 2015 WL 9093561

Before the Court is a motion from Plaintiff Star Envirotech, Inc. ("Star") requesting terminating, instructional, and monetary sanctions against Defendants Redline Detection, LLC and Kenneth A. Pieroni (collectively, "Redline" or "Defendants") arising from Defendants' alleged spoliation of evidence and other...

...Karl Willingham , Caldwell Leslie and Proctor PC, Gregory Byron Wood **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, Lawrence Scott Gordon David...

### 60. Star Envirotech, Inc. v. Redline Detection, LLC

United States District Court, C.D. California, Southern Division. March 17, 2016 Not Reported in Fed. Supp. 2016 WL 1069039

Pending before the Court is Plaintiff Star Envirotech, Inc.'s ("Star") request for expenses related to Star's June 2015 Motion for Sanctions and an Adverse Jury Instruction for Defendants' Secretion and Spoliation of Evidence, which the Court granted in part in December 2015. Defendants Redline Detection, LLC and Kenneth A. Pieroni...

...Leslie and Proctor PC, Gregory Byron Wood Feldman Gale PA, **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Lawrence Scott Gordon David Martin...

### 61. Knight v. St. Jude Medical

United States District Court, W.D. Michigan, Southern Division. January 11, 2011 Not Reported in F.Supp.2d 2011 WL 1230819

This matter is before the Court on Defendant St. Jude Medical, Inc.'s Motion to Dismiss Plaintiff's Amended Complaint. (Dkt.# 25). Pursuant to 28 U.S.C. § 636(b)(1)(B), the undersigned recommends that Defendant's motion be granted in part and denied in part. The following allegations are contained in Plaintiff's amended complaint. (Dkt.# 21). On...

...FL, Robert D. Vanderlaan , Vanderlaan & Associates, PC, Grand Rapids, MI, **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, for Defendant. REPORT AND...



## 62. **Teixeria v. St. Jude Medical S.C., Inc.**

United States District Court, W.D. New York. June 30, 2016 193 F.Supp.3d 218 2016 WL 3547932

COMMERCIAL LAW — Warranties. Absent allegations of any personal representation by manufacturer, recipient of defibrillator failed to state claim for breach of express warranty.

### Synopsis

**Background:** Recipient of implantable cardiac defibrillator brought action in state court against manufacturer of defibrillator, alleging, inter alia, strict liability for manufacturing defect, negligent manufacturing, negligent and strict liability failure to warn, and negligent representation. Following removal, manufacturer moved to dismiss for failure to state a claim, moved for sanctions, and moved to strike amended complaint.

**Holdings:** The District Court, **Michael A. Telesca**, J., adopting in part and rejecting in part report and recommendation of **Hugh B. Scott**, United States Magistrate Judge, **2015 WL 902616**, held that: [1] breach of express warranty claim under New York law was expressly preempted by Medical Device Amendments (MDA) to Food, Drug, and Cosmetic Act (FDCA); [2] recipient failed to state claim for breach of express warranty under New York law; [3] recipient failed to state claim for strict liability, negligent manufacturing, and breach of implied warranty under New York law; and [4] allegations based on information and belief were not supported by sufficient factual allegations, as required to avoid dismissal. Ordered accordingly.

...Gregg H. Metzger James A. Gale Feldman Gale , Miami, FL, **Todd** Matthew **Malynn** Feldman Gale , Los Angeles, CA, Vivian M. Quinn , Nixon Peabody...



## 63. **Hand & Nail Harmony, Inc. v. ABC Nail and Spa Products**

United States District Court, C.D. California, Southern Division. June 28, 2016 Not Reported in Fed. Supp. 2016 WL 3545524

Before the Court is Plaintiff's Hand & Nail Harmony, Inc. ("Harmony") and Nail Alliance, LLC's ("Nail Alliance") (collectively, "Plaintiffs") renewed Application for: (a) Entry of Temporary Restraining Order; (b) An Order to Show Cause Re: Preliminary Injunction; and (c) Expedited Discovery ("Renewed...

...SA CV 16-0969-DOC (JEMx) Signed 06/28/2016 **Todd** Matthew **Malynn** Adam Peter Daniels , Polsinelli LLP, Los Angeles, CA, for Plaintiffs...



## 64. **Hand & Nail Harmony, Inc. v. ABC Nail and Spa Products**

United States District Court, C.D. California, Southern Division. June 14, 2016 Not Reported in Fed. Supp. 2016 WL 8902583

Before the Court is Plaintiffs Hand & Nail Harmony, Inc. ("Harmony") and Nail Alliance, LLC's ("Nail Alliance") (collectively, "Plaintiffs") renewed Application for: (a) Entry of Temporary Restraining Order; (b) An Order to Show Cause Re: Preliminary Injunction; and (c) Expedited Discovery ("Renewed...

...14/2016 Jose Mariano Castillo, Jose M. Castillo Law Offices, **Todd** Matthew **Malynn**, Adam Peter Daniels, Polsinelli LLP, Los Angeles, CA, for Plaintiffs...

### 65. **St. Jude Medical S.C., Inc. v. Biosense Webster, Inc.**

United States District Court, C.D. California. August 27, 2014 Not Reported in Fed. Supp. 2014 WL 12686383

On February 21, 2014, plaintiffs Sarah Elsener ("Elsener") and St. Jude Medical S.C., Inc. ("St. Jude") (collectively "Plaintiffs") filed a complaint against Elsener's former employer, Biosense Webster, Inc. ("Biosense"). (Dkt. 1). This action arises out of a dispute over the non-competition agreement...

...NO. CV 14-1326-SVW-AGR Signed 08/27/2014 **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, for Plaintiffs. Craig F...

### 66. **Hand and Nail Harmony Inc. v. ABC Nail and Spa Products**

United States District Court, C.D. California, Southern Division. July 18, 2016 Not Reported in Fed. Supp. 2016 WL 8902585

The hearing on the Court's Order to Show Cause Re: Preliminary Injunction dated June 28, 2016 (Dkt. 31) came on as noticed on July 13, 2016. Plaintiffs Hand & Nail Harmony, Inc. ("Harmony") and Nail Alliance, LLC ("Nail Alliance") (collectively, "Plaintiffs") appeared through counsel, **Todd** M. **Malynn**. Defendant...

...18/2016 Jose Mariano Castillo , Jose M. Castillo Law Offices, **Todd** Matthew **Malynn** Adam Peter Daniels , Polsinelli LLP, Los Angeles, CA, for Plaintiffs...



### 67. **Generale Bank Nederland v. Eyes of the Beholder Ltd.**

Court of Appeal, Second District, Division 7, California. March 09, 1998 61 Cal.App.4th 1384 72 Cal.Rptr.2d 188

LITIGATION - Judgment. Client not entitled to relief from judgment on third-party claim under attorney fault statute based on attorney's neglect in adequately preparing for evidentiary hearing.

#### **Synopsis**

Creditor filed verified third-party claim with levying officer in which it alleged superior interest or lien in funds that had been garnished by plaintiff pursuant to writ of attachment. After hearing was held on third-party claim in underlying breach of contract action against debtor, the Superior Court, Los Angeles County, No. BC136494, Arnold Levin, Temporary Judge, denied third-party claim and subsequently denied motion to set aside its judgment under attorney fault provision of Code of Civil Procedure. Creditor appealed from order denying its motion to set aside. The Court of Appeal, **Lillie**, P.J., held that: (1) order denying motion to vacate judgment under attorney fault provision was appealable; (2) attorney's affidavit of fault did not place judgment within mandatory provisions of statute as creditor had been afforded its day in court; and (3) court did not abuse its discretion in denying relief under discretionary portion of attorney fault provision.

Affirmed.

...§473(b) Loeb & Loeb LLP Lance N. Jurich and **Todd M. Malynn**, Los Angeles, for Plaintiffs and Appellants. Harold J. Light and...



### 68. **Purcel v. Advanced Bionics Corp.**

United States District Court, N.D. Texas, Dallas Division. June 30, 2010 Not Reported in F.Supp.2d Prod.Liab.Rep. (CCH) P 18,489

TORTS - Fraud. Factual issue as to whether manufacturer of cochlear implants made misrepresentations to deaf child and his parents so that child would continue to use the implanted devices precluded summary judgment.

...Rosenthal Michael L. O'Donnell, Wheeler Trigg O'Donnell LLP, Denver, CO, **Todd Malynn** Feldman Gale PA, Los Angeles, CA, James A. Gale Feldman...



### 69. **Omnia Studios, LLC v. JD E-Commerce America Ltd.**

United States District Court, W.D. New York. March 31, 2025 Slip Copy 2025 WL 961473

Plaintiffs Omnia Studios, LLC., Cindy D. Chinn, Collis ECommerce Ltd., and Turkey Merck, Ltd. bring these related copyright and trademark actions against JD E-Commerce America Ltd. and Jingdong E-Commerce (Trade) Hong Kong Corp. ("JD"), Wal-Mart.com USA, LLC and Walmart Inc. ("Wal-Mart") (collectively,...

...Mike Margolis Pro Hac Vice Ping Zhang Pro Hac Vice **Todd Matthew Malynn** Pro Hac Vice, Blank Rome LLP, Los Angeles, CA, David...



### 70. **Life Alert Emergency Response, Inc. v. ConnectAmerica.com, LLC**

United States District Court, C.D. California. June 03, 2014 Not Reported in Fed. Supp. 2014 WL 12596718

Life Alert Emergency Response, Inc. ("Plaintiff" or "Life Alert") filed this action in which it named the following defendants: Connect America.com, LLC ("Connect America"), Kenneth Gross ("Gross"), Lifewatch, Inc. ("Lifewatch"), Evan Sirlin ("Sirlin"), Live Agent Response 1,...

...NY, William H. Armstrong, Armstrong and Associates LLP, Torrance, CA, **Todd Matthew Malynn** Gregory Byron Wood Feldman Gale PA, Los Angeles, CA, for...



### 71. **Edwards v. Arthur Andersen LLP**

Supreme Court of California August 07, 2008 44 Cal.4th 937 189 P.3d 285

COMMERCIAL LAW - Contracts. There is no "narrow restraint" exception to the general rule voiding noncompetition agreements.

#### Synopsis

**Background:** After refusing to execute termination of noncompete agreement (TONC) as condition of hire with company that bought his employer's business, former accounting employee brought action against former employer for intentional interference with prospective economic advantage and violation of the Cartwright Act. The Superior Court, Los Angeles County, No. BC294853, **Andria K. Richey**, J., sustained employer's demurrer to Cartwright Act claim, and subsequently entered judgment for employer

on interference claim. Employee appealed. The Court of Appeal affirmed in part, reversed in part, and remanded. The Supreme Court granted review, superseding the opinion of the Court of Appeal.

**Holdings:** The Supreme Court, [Chin, J.](#), held that:

[1] noncompetition agreement between parties was invalid;

[2] there is no “narrow restraint” exception to general rule voiding noncompetition agreements, disapproving *Boughton v. Socony Mobil Oil Co.*, 231 Cal.App.2d 188, 41 Cal.Rptr. 714, and *King v. Gerold*, 109 Cal.App.2d 316, 240 P.2d 710;

[3] demand that employee execute TONC as consideration for release from invalid agreement could support liability for interference with prospective economic advantage; but

[4] TONC waiver did not encompass unwaivable employee indemnity rights.

Affirmed in part, reversed in part, and remanded.

Opinion, 47 Cal.Rptr.3d 788, superseded.

[Kennard, J.](#), filed concurring and dissenting opinion, in which [Werdegar, J.](#), joined.

...Plaintiff and Appellant. [Feldman Gale James A. Gale](#) , Miami, FL, [Todd M. Malynn](#) , Los Angeles, and [Michael J. Weber](#) , Palo Alto, for St...



## 72. **Advanced Bionics Corp. v. Medtronic, Inc.**

Court of Appeal, Second District, California. March 22, 2001 87 Cal.App.4th 1235 105 Cal.Rptr.2d 265

ANTITRUST - Noncompete Agreements. Comity did not require deference to courts in state of out-of-state former employer.

### Synopsis

Employee's new employer in California brought state court action in California for declaratory judgment that the covenant not to compete that employee had signed with former, Minnesota employer was unenforceable. Two days later, Minnesota employer filed suit in Minnesota, and eventually, Minnesota employer obtained restraining order prohibiting California employer from pursuing the first-filed California action. The Superior Court, Los Angeles County, No. BC231335, [Richard P. Kalustian, J.](#), issued restraining order prohibiting Minnesota employer from pursuing the second-filed Minnesota action. Minnesota employer appealed and petitioned for writ of mandate to compel the Superior Court to continue the trial in the California action. The Court of Appeal, [Miriam A. Vogel, J.](#), held that principles of comity did not require the California courts to defer to the Minnesota courts in the Minnesota employer's second-filed action.

Order affirmed; petition denied.

...for Defendant, Appellant and Petitioner. [Loeb & Loeb Fred B. Griffin](#) [Todd M. Malynn](#) [Feldman Gale & Weber Michael J. Weber James A. Gale Greines...](#)



## 73. **VMR Products, LLC v. V2H ApS**

United States District Court, C.D. California. March 18, 2016 Not Reported in Fed. Supp. 2016 WL 1177834

Before the Court are: •Plaintiff's Corrected Motion for Partial Summary Judgment on Count II of the Second Amended Complaint (Dkt. No. 101); •Defendants' Motion for Partial Summary Judgment and/or Summary Adjudication on the Lanham Act False Advertising Count and Unfair Competition False Advertising Claims (“Count...

...2:13-cv-7719-CBM-JEMx Signed March 18, 2016 [Todd Matthew Malynn](#) , [Polsinelli LLP](#), [Gregory Byron Wood](#) [Feldman Gale PA](#), Los Angeles...

**74. Biosense Webster, Inc. v. Superior Court**

Court of Appeal, Second District, Division 2, California. January 17, 2006 135 Cal.App.4th 827 37 Cal.Rptr.3d 759

LITIGATION - Injunction. Trial court could not enjoin former employer from enforcing noncompetitive agreement in any other courts.

**Synopsis**

**Background:** Former employees obtained temporary restraining order (TRO) in the Superior Court of Los Angeles County, No. BC337177, Dzintra Janavs, J., prohibiting former employer from commencing or taking any action to enforce any noncompetition agreement or restrictive covenant against former employees in any court other than the Los Angeles County Superior Court or federal court in the State of California. Former employer petitioned for a writ of mandate.

**Holdings:** The Court of Appeal, [Doi Todd](#), J., held that  
 [1] TRO violated rules of judicial restraint and comity, and  
 [2] abridged right to bring in personam actions in federal courts.  
 Writ granted.

...appearance for Respondent. Feldman Gale James A. Gale , Miami, FL, [Todd M. Malynn](#) , Los Angeles, and Michael J. Weber , Huntington Beach, for Real...

**75. ThermoLife International LLC v. Better Body Sports LLC**

United States District Court, C.D. California. October 08, 2013 Not Reported in Fed. Supp. 2013 WL 12122226

Plaintiff Thermolife International, LLC ("Thermolife" or "Plaintiff") owns United States Patent No. 8,202,908 ("the '908 Patent"), titled "D-Aspartic Acid Supplement." (Docket No. 1 [Complaint ("Compl.")]) ¶ 2.) The '908 Patent describes a method for increasing testosterone...

...Feldman Gale PA, Tampa, FL, Daniel Scott Silverman , Venable LLP, [Todd Matthew Malynn](#) Feldman Gale PA, William E. Thomson, Jr. , Brooks Kushman PC...

**76. Life Alert Emergency Response, Inc. v. Connect America.com LLC**

United States District Court, C.D. California. January 23, 2015 Not Reported in Fed. Supp. 2015 WL 12765465

On December 18, 2014, the Honorable Patricia L. Collins (ret.), pursuant to her designation as the Special Master in the above-captioned matter, (see Dkt. No. 209), issued Special Master Report #4 (the "Report") regarding a dispute between Plaintiff Life Alert Emergency Response, Inc. ("Life Alert") and Defendant LifeWatch,...

...NY, William H. Armstrong , Armstrong and Associates LLP, Torrance, CA, [Todd Matthew Malynn](#) Gregory Byron Wood Feldman Gale PA, Los Angeles, CA, for...

**77. Teixeira v. St. Jude Medical, Inc.**

United States District Court, W.D. New York. March 03, 2015 Not Reported in F.Supp.3d 2015 WL 902616

The Hon. Richard J. Arcara referred this case to this Court under 28 U.S.C. § 636. (Dkt. No. 6.) Pending before the Court are two motions by defendants St. Jude Medical, Inc., St. Jude Medical S.C., Inc., and Pacesetter, Inc. ("St. Jude" collectively). St. Jude has moved (Dkt.Nos.4, 16) to dismiss the amended complaint of plaintiff John Teixeira...



...for Plaintiff. James A. Gale , Feldman Gale, P.A., Miami, FL, **Todd** Matthew **Malynn** , Feldman Gale, P.A., Los Angeles, CA, Vivian M. Quinn , Nixon...



## 78. **Advanced Bionics Corp. v. Medtronic, Inc.**

Supreme Court of California December 19, 2002 29 Cal.4th 697 59 P.3d 231

LITIGATION - Injunction. California court could not restrain party from taking action in related suit in Minnesota.

### Synopsis

Reversed.

Brown, J., concurred with opinion.

**Moreno**, J., concurred with opinion.

...appearance for Respondent Superior Court. Loeb & Loeb Fred B. Griffin **Todd** M. **Malynn** , Century City; Feldman, Gale & Weber Michael J. Weber James A...

## 79. **Star Envirotech, Inc. v. Redline Detection, LLC**

United States District Court, C.D. California. April 30, 2015 Not Reported in Fed. Supp. 2015 Markman 12743875

On April 23, 2015, the Court held a claim construction hearing regarding the scope of the asserted claims of U.S. Patent No. 6,526,808. After considering the materials submitted by the parties, as well as the argument of counsel at the hearing, the Court rules as set forth below. Plaintiff Star Envirotech filed this action for Patent Infringement...

...Q. Giang David Karl Willingham , Caldwell Leslie and Proctor PC, **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Lawrence Scott Gordon David Martin...

## 80. **VMR Products, LLC v. V2H ApS**

United States District Court, C.D. California. December 29, 2016 Not Reported in Fed. Supp. 2016 WL 7669497

The matter before the Court is the parties' bench trial. The Court has considered memoranda, trial briefs, witness testimony, other evidence presented and objections thereto, oral arguments of counsel, and motions for judgment per Rule 52(c). The Court issues the following facts and conclusions herewith. See Fed. R. Civ. P. 52(a)....

...2:13-cv-7719-CBM-JEM Signed 12/29/2016 **Todd** Matthew **Malynn** , Polsinelli LLP, Los Angeles, CA, Alejandro J. Fernandez , Chicago, IL...



## 81. **Shakey's Pizza Asia Ventures, Inc. v. PCJV USA, LLC**

United States District Court, C.D. California. November 14, 2024 Slip Copy 2024 WL 5051191

Cinco Corporation, a Filipino company that developed the Potato Corner brand of flavored french fries, registered trademarks for "Potato Corner" and related marks in the United States. Together with Guy Koren, Cinco created PCJV USA, LLC (PCJV), a joint venture that opened Potato Corner franchises in the United States. Their...



...and Jessup LLP, Beverly Hills, CA, for Plaintiff. Arash Beral **Todd** Matthew **Malynn** Victor J. Sandoval , Blank Rome LLP, Los Angeles, CA, for...

## 82. Hand and Nail Harmony Inc. v. ABC Nail and Spa Products

United States District Court, C.D. California. April 19, 2017 Not Reported in Fed. Supp. 2017 WL 2936215

Before the Court are Plaintiffs' Motions for Default Judgment against Defendants JC Supply, Inc. and Khoung Lien Phan ("JC Motion") (Dkt. 184); Defendants DL Beauty Supply, LLC and Derik Q. Luu ("DL Motion") (Dkt. 186); Defendants VIP Nail Products, Inc. and Linside Pham ("VIP Motion") (Dkt. 187); and Defendants...

...19/2017 Jose Mariano Castillo , Jose M. Castillo Law Offices, **Todd** Matthew **Malynn** Adam Peter Daniels , Polsinelli LLP, Los Angeles, CA, for Hand...

## 83. Nail Alliance, LLC v. Poly-Gel L.L.C.

United States District Court, W.D. Missouri, Western Division. September 27, 2019 Not Reported in Fed. Supp. 2019 WL 5295502

Pending before the Court are (1) Counterclaim-Defendants Nail Alliance, LLC and Hand & Nail Harmony, Inc.'s (hereafter, collectively "Nail Alliance") Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment (Doc. No. 141); (2) Defendant Poly-Gel L.L.C.'s (hereafter "Poly-Gel") Motion for Partial Summary...

...Paul A. Borovay Pro Hac Vice , Polsinelli PC, Chicago, IL, **Todd** M. **Malynn** Pro Hac Vice , Polsinelli PC, Los Angeles, CA, Phillip James...



## 84. Alfred E. Mann Foundation for Scientific Research v. Cochlear Corp.

United States District Court, C.D. California. March 31, 2015 96 F.Supp.3d 1028 2015 WL 1470883

PATENTS - Medical Devices and Procedures. Claims in a patent related to cochlear implant technology was invalid as indefinite.

### Synopsis

**Background:** Owner of patents related to cochlear implant technology brought infringement action against competitors.

**Holdings:** Following jury trial on infringement and invalidity, and bench trial on estoppel, laches, inequitable conduct, and indefiniteness, the District Court, **Fernando M. Olguin**, J., held that:

[1] patent owner was not estopped from bringing infringement claim against competitor under doctrine of equitable estoppel;

[2] patent owner's four year delay in bringing patent infringement suit was not unreasonable;

[3] competitor failed to establish that owner engaged in inequitable conduct in prosecution;

[4] patent owner was not foreclosed under presumption of prosecution history estoppel from arguing that "displaying" step in claim was met under doctrine of equivalents; and

[5] patent claims were invalid as indefinite.

Ordered accordingly.

...M. Burson Scott R. Miller , Sheppard Mullin Richter & Hampton LLC, **Todd** Matthew **Malynn** Feldman Gale PA, Los Angeles, CA, for Defendants. FINDINGS OF...